

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CRYSTAL CHILDS,

Plaintiff,

v.

**FITNESS INTERNATIONAL LLC d/b/a
LA FITNESS,**

Defendant.

Case No. 2:22-cv-05196-JDW

ORDER

AND NOW, this 22nd day of May, 2023, upon consideration of Defendant Fitness International LLC's Motion To Compel Arbitration (ECF No. 11) and Motion To Dismiss For Failure To State A Claim (ECF No. 13), and for the reasons stated in the accompanying Memorandum, it is **ORDERED** as follows:

1. The Motion To Compel Arbitration (ECF No. 11) is **DENIED**;
2. The Motion To Dismiss (ECF No. 13) is **GRANTED IN PART** and **DENIED IN PART** as follows:
 - a. Counts II (Invasion Of Privacy), III (Assault And Battery), and IV (Sexual Harassment) are **DISMISSED WITH PREJUDICE**;
 - b. The Motion is **DENIED** as to all other Counts.

BY THE COURT:

/s/ Joshua D. Wolson

JOSHUA D. WOLSON, J.